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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,745	03/16/2004	Tien Tsai Tseng	MR1683-533	1175
4586	7590	01/12/2006	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			HUYNH, KHOA D	
			ART UNIT	PAPER NUMBER
			3751	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

TWA

Office Action Summary	Application No.	Applicant(s)	
	10/800,745	TSENG, TIEN TSAI	
	Examiner	Art Unit	
	Khoa D. Huynh	3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-7 is/are rejected.
- 7) ☒ Claim(s) 3 and 8-10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: the recitation "a minus" should be changed to read --a negative pressure--. Also, the recitation "air passage the passage in the body" should be changed to read --air passing the passage in the body--. Appropriate correction is suggested.
2. Claim 2 is objected to because of the following informalities: the recitation "the connecting seat two provide" should be changed to read --the connecting seat to provide--. Appropriate correction is suggested.
3. Claim 9 is objected to because of the following informalities: the recitation "late4rally" should to be changed to read --laterally--. Appropriate correction is suggested.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation "the hollow stub" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1 and 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Curtis et al. (6755207).

Regarding claim 1, the Curtis et al. reference discloses a joint for a fluid transferring or pumping device (Fig. 10). The joint includes a body (14 in Fig. 2) having a trough (the interior portion defined by wall 52) defined an upper portion of the body, an insertion (at 64) longitudinally extending from a lower portion of the body and adapted to be inserted into an opening (18) of a container (13), a passage (defined by the interior space of elements 72 & 74 as shown in Figure 12) defined in and extending through the body, a through hole (defined by the interior space of elements 66,84 as shown in Figure 16) longitudinally defined in the body, wherein the passage is adapted to be connected to a compressed air source and a negative pressure is caused in the container when the compressed air passes through the passage in the body (arrow 86A and 78). The joint also includes a connecting seat (the portion defines by the wall 58H) including an insertion inserted into the trough in the body, and a hollow connector (53,63)

extending from the connecting seat. The hollow connector communicates with the through hole in the body and adapted to connected to a hose (15) that extends into a container or pail receiving fluid for being pumped (arrow 98 & 100) when the compressed air passing the passage in the body.

Regarding claim 4, as schematically shown in Figure 12, the passage is T-shaped. The T-shaped passage includes a first path laterally extending through to body and a second path communicating with the first path and the interior of the container.

Regarding claim 5, the insertion (at 64) of the body also includes a hollow stub (at 70) extending therefrom and communicating with the passage in the body. As schematically shown in Figure 13, the hollow stub (at 70) has a threaded outer periphery that is provided to connect to an automatic stop device (at 91).

Regarding claim 6, as schematically shown in Figure 10, the body comprises a tapered sealant (from elements 64 to 60 & 62) mounted around the insertion of the body. The diameter of the sealant gradually reduced relative to a distal end of the insertion of the body for providing airtight effect when the insertion of the body is inserted into the opening of the container.

8. Claim 2 is rejected under 35 U.S.C. 102(e) as being anticipated by Curtis et al. (6755207).

Regarding claim 2, the Curtis et al. reference discloses a joint for a fluid transferring or pumping device (Fig. 13). The joint includes a body (13,14 in Fig.

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2) having a trough (at 18) defined an upper portion of the body, an insertion (55,56,67,68B) longitudinally extending from a lower portion of the body and adapted to be inserted into an opening (32) of a container (12), a passage (defined by the interior space of elements 72 & 74 as shown in Figure 12) defined in and extending through the body, a through hole (defined by the interior space of elements 66,84 as shown in Figure 16) longitudinally defined in the body, wherein the passage is adapted to be connected to a compressed air source and a negative pressure is caused in the container when the compressed air passes through the passage in the body (arrow 86A and 78). The joint also includes a connecting seat (the portion defines by the wall 52) including an insertion (the portion defined by element 64) inserted into the trough in the body, and a hollow connector (53,63) extending from the connecting seat. The hollow connector communicates with the through hole in the body and adapted to connected to a hose (15) that extends into a container or pail receiving fluid for being pumped (arrow 98 & 100) when the compressed air passing the passage in the body. As schematically shown in Figure 17, an O-ring (62) is mounted around the insertion of the connecting seat to provide an airtight effect between an outer periphery of the insertion of the connecting seat and an inner periphery of the trough in the body.

Allowable Subject Matter

9. Claims 3 and 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claim 7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and could be used to formulate rejections if needed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoa D. Huynh whose telephone number is (571) 272-4888. The examiner can normally be reached on M-F (7:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Khoa D. Huynh', is written over a horizontal line.

Khoa D. Huynh
Primary Examiner
Art Unit 3751

HK
01/09/2006